

Exhibit V

CAPTAIN NICHOLAS J. LEWIS
MATTER OF COEYMANS MARINE TOWING, LLC

August 13, 2025

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF VIRGINIA
3 Norfolk Division
4 In Admiralty

5
6 CIVIL ACTION NO: 2:24-cv-00490

7 In the Matter of COEYMANS MARINE
8 TOWING, LLC D/B/A CARVER MARINE
9 TOWING as Owner and Operator of M/T
10 Mackenzie Rose, (IMO No. 8968765) her cargo,
11 engines, boilers, tackle, equipment, apparel, and
12 appurtenances, etc., in rem, petitioning for
13 Exoneration from or Limitation of Liability in
14 allision with Norfolk and Portsmouth Belt Line
15 Railroad Company Main Line Railroad Bridge
16 occurring June 15, 2024 in and about the
17 Elizabeth River, Virginia.

18
19 DEPOSITION OF
20 CAPTAIN NICHOLAS J. LEWIS

21
22 Taken on Behalf of the Claimant

23
24 DATE TAKEN: August 13, 2025
25 TIME: 12:00 p.m. - 5:15 p.m.
PLACE: 6767 N. Wickham Road
Melbourne, Florida

Examination of the witness taken before:

Yvette S. Harrison, RPR, FPR,
Court Reporter
and Notary Public, State of Florida at Large.

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1 A. No.

2 Q. Are you saying Nick Laraway should have been on
3 the tug at the time of the incident --

4 A. No.

5 Q. -- the president of the company?

6 A. No. I would have thought he might know more
7 than what he knew in the deposition about what was going
8 on especially --

9 Q. Did your lawyer tell you that?

10 A. Especially after someone hit the bridge.

11 Q. Did your lawyer tell you that?

12 MR. JETT: Objection.

13 A. Tell me what?

14 MR. JETT: Don't answer that.

15 BY MR. RODGERS:

16 Q. That he doesn't know anything?

17 A. It's my opinion from watching him.

18 Q. Okay. Him not knowing anything in your opinion
19 did that have anything to do with -- strike that.

20 Explain what you mean by managerial failings
21 specifically, give me specifics because it's your report.

22 A. Okay. Carver knew there was a problem on the
23 tug with the automatic pilot. They had two incidents in
24 May, prior to that in April, March and April there were
25 two repairs done to the new autopilot that went on the

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1 vessel in November '23. In May they had two more
2 incidents. This is June. They made no distinction, no
3 specification to the company to do anything different
4 about the autopilot. In my opinion they should have been
5 given an order not to be on autopilot on that vessel
6 going in a narrow channel.

7 Q. Okay. But you agree in your section four that
8 in fact it wasn't the autopilot that failed, it was James
9 Morrissey that failed; correct?

10 A. But still the autopilot should never have been
11 on in my opinion.

12 Q. You agree that it was not the autopilot it was
13 James Morrissey --

14 MR. JETT: Objection.

15 BY MR. RODGERS:

16 Q. -- that caused the incident; correct?

17 MR. JETT: Objection.

18 A. No, I can't answer that. James Morrissey was
19 on autopilot. Okay. So the autopilot took him in a
20 location where he shouldn't have been. When he tried to
21 switch over, he didn't switch over correctly. Then he
22 finally did switch over. Okay, fine, you switch over
23 now. How do you still hit the bridge when the opening is
24 45 degrees to your right?

25